

## **SUCCESS TURNING CONFLICT INTO RESOLUTION**

By Cory Ervin, HR Specialist  
& David Salazar, Division Director  
Department of Human Resource Management

Since its initial launch in January 2004, the pilot program which introduced mediation into the grievance process has shown a 100% success rate for resolving employee grievances! By participating in this voluntary, alternative dispute resolution (ADR) process, employees were given the opportunity to resolve their disputes directly with a management representative and avoid the strife and lengthy periods normally associated with the formal grievance procedure. The parties in every case<sup>1</sup> reached a satisfactory resolution, which included withdrawal of the employee grievance, with the aide of a qualified, neutral third-party mediator.

The pilot mediation program was established to provide an alternative means to resolve career service employee grievances in state government. Initially, the pilot has been limited to formal employee grievances between steps two and four of the Career Service Review Board's (CSRB) grievance process. However, due to the pilot's success, consideration is currently being given to expanding services to employee issues outside the formal grievance process. The program is administered by the state's Department of Human Resource Management.

**More timely. More satisfactory.** When used, mediation can dramatically decrease the time required to resolve employee grievances and greatly improve the satisfaction of participants involved in the process. In comparison to the weeks and months sometimes required to complete the formal grievance process, the average time spent to complete the mediation process has been approximately two hours. Parties in most cases indicated that they were "very satisfied" with the mediation experience and all indicated that they would consider using mediation again. In all instances, communication was the main key that enabled the parties involved to come to a satisfactory resolution.

How does it work? When a formal grievance is filed, mediation can be requested by either an employee or an agency by contacting DHRM's ADR Coordinator. After initial screening to determine if mediation is appropriate, the Coordinator will schedule a session at a neutral location with a qualified mediator and the grievance timelines are suspended until the mediation process is complete. If mediation is successful, the employee's agency human resource office is notified that mediation has concluded and that the employee's grievance is withdrawn. Since details about the mediation are confidential, including discussion and any subsequent agreements, notification to the agency is limited and only includes information about the outcome (*i.e.* grievance is "resolved", "partially resolved", or "not resolved") and any subsequent action required following the mediation

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<sup>1</sup> For all cases mediated to date, beginning March 2004 – October 15, 2004. Source: DHRM ADR Coordinator.

process. If mediation is not successful, the grievance process resumes and continues at the same point and time prior to mediation.

Mediation provides employees, supervisors and managers an opportunity to resolve conflicts in an informal and less intimidating way. The end result often includes improved working relationships and more open lines of communication. With mediation, there's nothing to lose by simply trying it.

For more information about this program, contact DHRM's ADR Coordinator, Cory Ervin, at (801) 538-3068 or see the DHRM website under "Employee Relations"— [www.dhrm.utah.gov](http://www.dhrm.utah.gov)